

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
VITC, LLC	)	
	)	
Application for Authority Under Section 214	)	File No. ITC-01-_____
of the Communications Act of 1934, as amended,	)	
for Global Facilities-Based and	)	
Global Resale Authority	)	

**APPLICATION FOR AUTHORITY**

VITC, LLC (“Applicant”) hereby applies, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Sections 63.12 and 63.18 of the Commission’s Rules, 47 C.F.R. §§ 63.12, 63.18, for global facilities-based and global resale authority. Applicant requests streamlined treatment of this application.

Approval of this Application will increase competition in the U.S. international services market, which will benefit consumers of international telecommunications services. The benefits of competition include lower prices, increased availability of a wider variety of service options, and more efficient use of international facilities. Thus, the grant of this authorization will serve the public interest, convenience, and necessity.

Applicant submits the following information as required by Section 63.18 of the Commission’s Rules:

- (a) The Applicant’s name, address, and telephone number are as follows:

VITC, LLC  
1101 N. Elmwood  
Oak Park, IL 60302  
(708) 848-4787

- (b) Applicant is a limited liability company organized under the laws of Illinois.

- (c) Correspondence or communications concerning this Application should be directed to:

Rachael E. Schwartz  
Baker & McKenzie  
815 Connecticut Avenue, N.W. Suite 900  
Washington, D.C. 20006  
(202) 452-7006

- (d) Applicant does not currently hold Section 214 authority.

(e)-(f) Applicant requests global facilities-based Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission's Rules and global resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's Rules. Applicant certifies that it will comply with the terms and conditions in Sections 63.21, 63.22 and 63.23 of the Commission's Rules.

Regarding the portion of this Application seeking international simple resale authority, the Commission has already determined that a number of countries satisfy either the equivalency test or the test that at least fifty percent of the settled U.S.-billed traffic on the relevant route is at or below the applicable benchmark settlement rate. At such time as the Commission determines that other international routes are entitled to similar regulatory treatment, Applicant submits that the public interest requires grant of the remaining portions of the application. Applicant will serve only those routes which the Commission has determined are permissible.

- (g) Applicant does not seek authorization to construct new facilities.

(h) The following are ten percent or greater direct or indirect shareholders or other equity holders of Applicant:

CVO & Associates, L.L.C. ("CVO"), an Illinois limited liability company, owns a one hundred (100) percent ownership interest in Applicant. Thomas O'Connor holds an eighty-four (84) percent ownership interest in CVO and indirectly holds an eighty-four (84) percent ownership interest in Applicant. Mr. O'Connor is an American citizen and resides at 1101 N. Elmwood, Oak Park, IL, 60302. Mr. O'Connor is a telecommunications entrepreneur and a commodities trader.

(i) Applicant intends to enter agreements with a U.S.-based international carrier and Vietnam Telecom International, an international carrier in Vietnam, for the transmission of voice over

internet protocol (“VOIP”) traffic between those two entities. Applicant understands that the Commission does not consider VOIP services to be telecommunications services, and Applicant would, therefore, not be a foreign carrier.

(j) See response to item (i). Calls from the United States to Vietnam will be picked up by Applicant outside the United States. Furthermore, the Vietnamese government will not issue a license to a foreign telecommunications carrier for the termination of VOIP traffic in Vietnam.

(k) Even if Applicant were considered to be providing international telecommunications services to Vietnam, Applicant would lack market power as a carrier in Vietnam because it would be a new entrant into that market.

(l) Applicant does not propose to resell the international switched services of an unaffiliated U.S. carrier for the purpose of providing international telecommunications services to a country where it is a foreign carrier or is affiliated with a foreign carrier.

(m) As described above, Applicant is not a foreign carrier or affiliated with a foreign carrier. If it were, it would be non-dominant.

(n) Applicant certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier or administration with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market. Applicant agrees not to enter into such agreements in the future.

(o) Applicant certifies pursuant to Sections 1.2001 through 1.2003 of the Commission’s Rules that neither Applicant nor any officer, director, or person holding five percent or more of its outstanding shares, nor any other party to this Application, are subject to a denial of any U.S. federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(p) Applicant requests streamlined processing pursuant to Section 63.12 of the Commission’s Rules. The application qualifies for streamlined processing because each of the routes for which it seeks authority falls in one or more of the two following categories:

- an unaffiliated route; and

- an affiliate route where the affiliate foreign carrier has less than a fifty (50) percent market share in the destination country in the international transport and local access markets (those countries served by Applicant).

The Commission has determined that this type of application is eligible for streamlined processing. *See, e.g., 1998 Biennial Regulatory Review -- Review of International Common Carrier Regulations, Report and Order*, FCC 99-51 at ¶ 22 (March, 1999).

WHEREFORE, Applicant submits that the expeditious grant of this Application for Authority, pursuant to streamlined processing under Section 63.12 of the Commission's Rules, would serve the public interest, convenience, and necessity.

Respectfully submitted,

**VITC, LLC**

By: \_\_\_\_\_  
Thomas O'Connor, Manager

Counsel to VITC LLC

Rachael E. Schwartz  
Baker & McKenzie  
815 Connecticut Ave., N.W. Suite 900  
Washington, D.C. 20006  
(202) 452-7006

Dated: July 23, 2001